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Attorneys for Plaintiffs

OUR CHILDREN’S EARTH and ECOLOGICAL RIGHTS FOUNDATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OUR CHILDREN’S EARTH FOUNDATION, a
non-profit corporation, and ECOLOGICAL
RIGHTS FOUNDATION, a non-profit
corporation,

Plaintiffs,

v.

LELAND STANFORD JUNIOR UNIVERSITY,

Defendant.

Civil Case No.: 13-cv-00402-EDL

**STIPULATED REQUEST TO
EXTEND EXPERT DISCOVERY AND
RESET THE TRIAL AND RELATED
DATES;
[PROPOSED] ORDER
AS MODIFIED**

Civil Local Rule 6-1(b), 6-2, and 7-12

1 Plaintiffs Ecological Rights Foundation (“ERF”) and Our Children’s Earth Foundation (“OCE”)
2 (ERF and OCE are collectively referred to as “Plaintiffs”) and The Board of Trustees of the Leland
3 Stanford Junior University (“Stanford” or “Defendant”) (Plaintiffs and Defendant are referred to
4 collectively as the “Parties”), by and through their counsel of record, hereby stipulate to extend expert
5 discovery and reset the trial date as well as related deadlines as follows:

6 WHEREAS, based on the need for additional time to complete fact discovery, the Parties
7 anticipated asking this Court for a further extension of time to complete expert discovery in this matter
8 and to continue the trial date;

9 WHEREAS, throughout January 2015 and February 2015, the Parties encountered significant
10 issues concerning the supplemental report and production by Plaintiffs’ expert;

11 WHEREAS, the Parties have worked diligently to resolve various issues (including extensive
12 meet and confer sessions) and have resolved many of their disputes without further discovery motion
13 practice at this time (although Stanford will be raising certain objections before the trial in this matter);

14 WHEREAS, the Parties believe the most efficient path forward is to set a mutually agreeable
15 schedule to complete expert discovery including the depositions of both experts and to continue the
16 current trial schedule;

17 WHEREAS, the Parties have agreed on a new schedule that will both allow time for the agreed
18 upon expert supplemental discovery as well as accommodate several periods of time when counsel for
19 Stanford and/or its expert are not available (because Stanford had set its schedule for other matters
20 based on the prior schedule that has now become unworkable);

21 WHEREAS, the Parties currently expect that the deposition of Plaintiffs’ expert shall occur on
22 April 10, 2015, Stanford shall provide its supplemental expert report on May 1, 2015, and the deposition
23 of Defendant’s expert shall occur on May 22, 2015;

24 WHEREAS, the existing Case Management and Pretrial Order (ECF Doc. No. 28), as partially
25 adjusted by the Court on June 19, 2014 (ECF Doc. No. 63), set various deadlines including the close of
26 expert discovery on January 16, 2015, the last day for hearing dispositive motions on March 3, 2015,
27 and a bench trial on June 23, 2015;

WHEREAS, the Court's clerk has confirmed that moving the trial date in this case to November 30, 2015 fits the Court's current calendar;

NOW, THEREFORE, to ensure all Parties have adequate opportunity to complete expert discovery and fully prepare this case for trial, the Parties request that the Court set the following schedule:

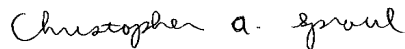
EVENT	PROPOSED DATES
Deadline to complete expert discovery	May 22, 2015
Deadline to file motion to compel expert discovery per Local Rule 37-3	June 1, 2015
Dispositive motion filing deadline	July 6, 2015 ¹
Last day for dispositive motion hearing	August 18, 2015 August 25, 2015
Deadline to meet & confer regarding pre-trial conference issues	October 9, 2015
Deadline to file joint pre-trial statement/disclosure and other materials required by paragraph 5.c. in Court's Case Management and Pretrial Order	October 20, 2015

¹ The Parties have agreed upon the following expanded schedule for any dispositive motion: ~~moving papers will be filed no later than forty three (43) days before the hearing date, opposition papers will be filed twenty-four (24) days after the moving papers are filed and reply papers will be filed twelve (12) days after the opposition is filed. In the case of a hearing set for August 18, 2015, the moving papers would be due on July 6, 2015, opposition papers would be filed on July 30, 2015 and reply papers would be filed on August 11, 2015.~~

EVENT	PROPOSED DATES
Deadline to file objections and other materials required by paragraph 5.d in Court's Case Management and Pretrial Order	October 30, 2015
Pre-Trial Conference	November 10, 2015 at 2:00 p.m.
Bench Trial	November 30, 2015 at 8:30 a.m. December 2, 2015 at 8:30 a.m.

Dated: March 9, 2015.

Respectfully submitted,



Christopher Sproul
Environmental Advocates
Attorney for Plaintiffs Our Children's Earth Foundation
and Ecological Rights Foundation

Dated: March 10, 2015

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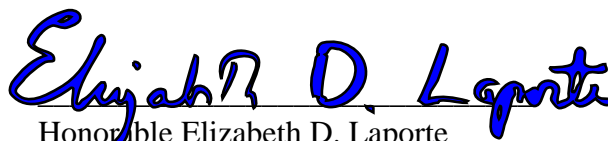


Dianne L. Sweeney
Pillsbury Winthrop Shaw Pittman LLP
Attorneys for Defendant The Board of Trustees
of the Leland Stanford Junior University

~~Proposed~~ Order

PURSUANT TO STIPULATION, IT IS SO ORDERED. AS MODIFIED

Date: March 18, 2015



Honorable Elizabeth D. Laporte
United States Magistrate Judge
Northern District of California